

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey P. Callister et al.

Serial No.: 09/911,551

Filing Date: July 23, 2001

Title: OCCLUDING DEVICE AND  
METHOD OF USE

Docket No: 687-470 (formerly R0371-00402)

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Group Art Unit: 3764

Examiner: Michael A. Brown

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450I CERTIFY THAT THIS PAPER IS BEING FACSIMILE  
TRANSMITTED TO THE COMMISSIONER FOR PATENTS,  
P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, VIA  
FACSIMILE NUMBER 571,273-8300 ON October 19  
2005. (37 CFR 1.8a)*Brea K. Ellsworth*  
Brea K. EllsworthREVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY  
AND CHANGE OF CORRESPONDENCE ADDRESS

As assignee of record of the entire interest of the above identified Application, all powers of attorney previously given are hereby revoked and the following attorney(s) and/or agent(s) are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected herewith.

## POWER OF ATTORNEY:

We hereby appoint practitioners associated with the Customer Number: 34205 as our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please send all future correspondence to: Barbara A. Wrigley

Oppenheimer Wolff & Donnelly LLP  
45 South Seventh Street, Suite 3300  
Minneapolis, MN 55402  
Direct Telephone calls to Barbara A. Wrigley at (612) 607-7595.

The assignee in this case is:

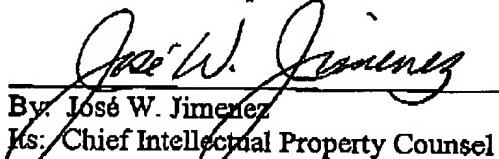
AMS Research Corporation  
10700 Bren Road West  
Minnetonka, MN 55343

**ASSIGNEE CERTIFICATION**

I am the Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.

AMS Research Corporation

Date: 10/12/05

  
By: José W. Jimenez  
Its: Chief Intellectual Property Counsel

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Ovion, Inc.

Application No./Patent No.: 09/911,551 Filed/Issue Date: July 23, 2001

Entitled: OCCLUDING DEVICE AND METHOD OF USE

AMS Research Corporation, a Delaware corporation.

(Name of Assignee) (Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.

The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. [X] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Jeffrey P. Callister and William S. Tremulls  
To: Ovion, Inc. The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: Ovion, Inc. To: AMS Research Corporation  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ] Copies of assignments or other documents in the chain of title are attached.

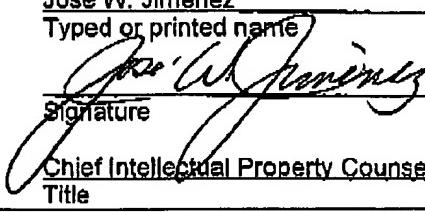
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicants.

10/12/05  
Date

José W. Jimenez

Typed or printed name

  
Signature

Chief Intellectual Property Counsel

Title

Attorney Docket No. 687-470

ASSIGNMENT

WHEREAS, pursuant to that certain Agreement and Plan of Merger among American Medical Systems, Inc., a Delaware corporation ("Parent"), Oak Merger Corp., a Delaware corporation and a wholly-owned subsidiary of Parent ("Merger Subsidiary") and Ovion, Inc., a Delaware corporation ("Ovion, Inc."), and others, the Merger Subsidiary was merged with and into Ovion, Inc. on July 7, 2005 pursuant to which and by operation of law Ovion, Inc. became a wholly-owned subsidiary of Parent; and

WHEREAS, Ovion, Inc. owns a certain invention entitled OCCLUDING DEVICE AND METHOD OF USE for which a patent application for a Letters Patent of the United States has been made, which application may be identified by its priority document in the United States Patent Office by Serial No. 09/911,551, filed July 23, 2001; and

WHEREAS, AMS Research Corporation, a corporation organized and existing under the laws of the state of Delaware and a wholly-owned subsidiary of Parent, and having its principal offices at 10700 Bren Road West, Minnetonka, Minnesota 55343, is desirous of acquiring the entire right, title and interest in and to said invention, said application and in, to and under any and all Letters Patent to be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Ovion, Inc. has assigned and transferred, and by these presents does hereby sell, assign and transfer unto the said AMS Research Corporation, its successors and assigns, its entire right, title and interest in and to said invention, said application and the Letters Patent, both foreign and domestic, that may or shall issue, including all of our rights under the International Convention and Patent Cooperation Treaty and other international treaties, and Ovion, Inc. does hereby authorize and request said Letters Patent be issued to the above-mentioned assignee in accordance herewith.

Ovion, Inc. hereby authorizes the above-mentioned assignee, its successors and assigns or anyone it may properly designate, to insert in this instrument the filing date and Serial Number of said application when ascertained.

Ovion, Inc. further authorizes said assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent, in its own name if desired, in any and all foreign countries, and additionally to claim the filing date of said United States provisional application and/or otherwise take advantage of the provisions of the International Convention.

Upon said consideration, Ovion, Inc. does hereby covenant and agree with the said assignee, its successors and assigns, that it will not execute any writing or do any act whatsoever conflicting with these presents, and that it or its executors or administrators will at any time upon request, without further or additional consideration, but at the expense of said assignee, its successors and assigns, execute such additional writings and do such additional acts as said assignee, its successors and assigns, may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuation, reissued or extended Letters Patent of any and all countries, whether domestic or foreign, on said invention, and in enforcing any rights, occurring

Attorney Docket No. 687-470

as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents.

IN WITNESS WHEREOF, Ovion, Inc. has caused this assignment to be duly executed as of the date and the year set forth herein.

Date: 10/14/05

By: JF Nealon

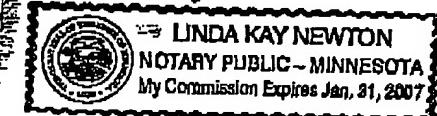
Name: John F. Nealon

Title: Senior VP Business Development

STATE OF Minnesota, ss.  
COUNTY OF Hennepin)

On this 12<sup>th</sup> day of October 2005, before me personally appeared John F. Nealon to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Linda Kay Newton  
Notary Public



Attorney Docket No. 687-470

**ASSIGNMENT**

WHEREAS, We, Jeffrey P. Callister of 955 Cambridge Road, Redwood City, California 94061 and William S. Tremulis of 399 Mindanao, Redwood City, California 94065 have invented and own a certain invention entitled OCCLUDING DEVICE AND METHOD OF USE for which an application is about to be made for Letters Patent of the United States, said application having been executed on even date herewith, and which may be identified in the United States Patent Office by Serial No. 09/911,551 filed July 23, 2001; and

WHEREAS, Ovion, Inc., a corporation organized and existing under the laws of the state of Delaware, and having its principal offices at 1900 O'Farrell Street, Suite 210, San Mateo, California 94403, is desirous of acquiring the entire right, title and interest in and to said invention, said application and in, to and under any and all Letters Patent to be obtained therefor;

NOW, THEREFORE, for good and valuable consideration to us in hand paid by said Ovion, Inc., the receipt of which is hereby acknowledged, we have sold, assigned and transferred, and by these presents do hereby sell, assign and transfer unto the said Ovion, Inc., its successors and assigns, our entire right, title and interest in and to said invention, said application and the Letters Patent, both foreign and domestic, that may or shall issue, including all of our rights under the International Convention, and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the above-mentioned assignee in accordance herewith.

We hereby authorize the above-mentioned assignee, its successors and assigns or anyone it may properly designate, to insert in this instrument the filing date and Serial Number of said application when ascertained.

We further authorize said assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent, in its own name if desired, in any and all foreign countries, and additionally to claim the filing date of said United States application and/or otherwise take advantage of the provisions of the International Convention.

Upon said consideration, we do hereby covenant and agree with the said assignee, its successors and assigns, that we will not execute any writing or do any act whatsoever conflicting with these presents, and that we or our executors or administrators will at any time upon request, without further or additional consideration, but at the expense of said assignee, its successors and assigns, execute such additional writings and do such additional acts as said assignee, its successors and assigns, may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuation, reissued or extended Letters Patent of the United States, or of any and all foreign countries on said invention, and in enforcing any rights, occurring as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents.

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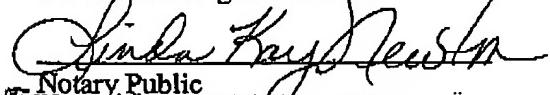
In witness whereof, we have hereunto set our hands and affixed our seals.

Date: Dec 12, 2005

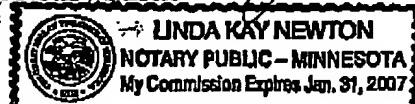
  
Jeffrey P. Callister

STATE OF Minnesota )  
COUNTY OF Hennepin ) ss.

On this 12<sup>th</sup> day of October, 2005, before me personally appeared Jeffrey P. Callister, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.



Notary Public

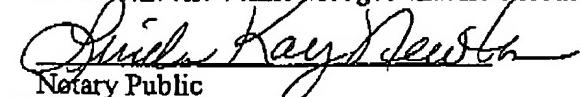


Date: 12/12/05

  
William S. Tremulis

STATE OF Minnesota )  
COUNTY OF Hennepin ) ss.

On this 12<sup>th</sup> day of October, 2005, before me personally appeared William S. Tremulis, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.



Notary Public

